

**House File 2091 - Introduced**

HOUSE FILE 2091

BY WESSEL-KROESCHELL

**A BILL FOR**

1 An Act relating to civil rights by providing that denial of  
2 access to a restroom by a public accommodation to certain  
3 persons is an unfair or discriminatory practice.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 216.7, subsection 1, Code 2016, is  
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *Ob.* To refuse or deny access to a restroom  
4 within the public accommodation to a person with Crohn's  
5 disease, ulcerative colitis, irritable bowel syndrome,  
6 any other inflammatory bowel disease, or any other medical  
7 condition that requires immediate access to a restroom, or who  
8 uses an ostomy device if a public restroom is not immediately  
9 accessible and use of the restroom does not create an obvious  
10 health or safety risk to the customer or an obvious security  
11 risk to the public accommodation.

12 EXPLANATION

13 The inclusion of this explanation does not constitute agreement with  
14 the explanation's substance by the members of the general assembly.

15 This bill provides that it is an unfair or discriminatory  
16 practice under Code chapter 216 (the "Iowa Civil Rights Act  
17 of 1965") for a public accommodation to refuse or deny access  
18 to a restroom to a person with Crohn's disease, ulcerative  
19 colitis, irritable bowel syndrome, any other inflammatory  
20 bowel disease, or any other medical condition that requires  
21 immediate access to a restroom, or who uses an ostomy device  
22 if a public restroom is not immediately accessible and use  
23 of the restroom does not create an obvious health or safety  
24 risk to the customer or an obvious security risk to the public  
25 accommodation.

26 Under current law, "public accommodation" means each and  
27 every place, establishment, or facility of whatever kind,  
28 nature, or class that caters or offers services, facilities, or  
29 goods for a fee or charge to nonmembers of any organization or  
30 association utilizing the place, establishment, or facility,  
31 provided that any place, establishment, or facility that caters  
32 or offers services, facilities, or goods to the nonmembers  
33 gratuitously shall be deemed a public accommodation if the  
34 accommodation receives governmental support or subsidy.  
35 Public accommodation does not mean any bona fide private club

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1 or other place, establishment, or facility which is by its  
2 nature distinctly private, except when such distinctly private  
3 place, establishment, or facility caters or offers services,  
4 facilities, or goods to the nonmembers for fee or charge or  
5 gratuitously, it shall be deemed a public accommodation during  
6 such period. "Public accommodation" includes each state and  
7 local government unit or tax-supported district of whatever  
8 kind, nature, or class that offers services, facilities,  
9 benefits, grants, or goods to the public, gratuitously or  
10 otherwise.